

### **REMARKS**

Claims 2-11, 13 and new claims 14 to 17 are pending. The amendments the claims and new claims are supported in the published specification as follows: Claim 2: claim 1, FIG. 2; Claim 3: claim 1; FIG. 3; Claim 4: claim 1, FIG. 6; Claim 5: claim 1, FIG. 7; Claim 7: FIG. 9; Claims 8, 10, 13: dependency; new Claim 14: claims 1, 3, FIG. 4; new Claim 15: claim 7, FIG. 10; new Claim 16: claim 10; and new Claim 17: claim 13. No new matter is added.

**Claims 1-5 and 8-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 2-5 and 8-9 are rejected because their dependency upon claim 1.** (Office Action, page 2)

Claim 1 is canceled making this rejection now moot.

**Claims 1-5 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiura et al (20040012980), hereinafter Sugiura, in view of Kido et al (20030189401), hereinafter Kido, and further in view of Dodabalapur et al (5814416), Dodabalapur hereinafter.** (Office Action, page 3)

Claim 1 is canceled making the rejection moot with respect to this claim.

As for claim 2, Sugiura (US 2004/012980) shows a reflective electrode 12 having a light-scattering surface 11 (fig. 3, [0114]). However, Sugiura fails to disclose that the light scattering means is made up by: forming a first electrode of an anode and a cathode by an optically-transparent electrode to mount the first electrode on an optically-transparent substrate; and forming a second electrode of the anode and the cathode by a light-scattering and light-reflective electrode (FIG. 2).

As for claims 3 and new claim 14, Sugiura shows a transparent electrode 13 and a light-scattering layer 14 (fig. 5, [0125]). However, Sugiura fails to disclose that the light scattering means is made up by: forming a first electrode of an anode and a cathode by a light-scattering and optically-transparent electrode to mount the first electrode on an optically-transparent substrate; and forming a second electrode of the anode and the cathode by a light-reflective electrode (FIG. 3). Sugiura also fails to disclose the subject matter of new claim 14.

As for claim 4, Sugiura shows a transparent electrode 5 having a light-scattering surface

16 (fig. 6, [0131]). However, Sugiura fails to disclose that the light scattering means is made up by: forming a first electrode of an anode and a cathode by a light-scattering and optically-transparent electrode to mount the first electrode on an optically-transparent substrate; and forming a second electrode of the anode and the cathode by a light-reflective electrode (FIG. 6).

As for claim 5, Sugiura shows a transparent electrode 5 having a light-scattering surface 16 (fig. 6, [0131]). However, Sugiura fails to disclose that the light scattering means is made up by: providing a light-scattering and optically-transparent element on an optically-transparent substrate; forming a first electrode of an anode and a cathode by an optically-transparent electrode to mount the first electrode on the element; and forming a second electrode of the anode and the cathode by a light-reflective electrode (FIG. 7).

Claims 8 and 9 now depend from claim 6 which is not rejected.

In light of the structural differences, it is shown that the invention as now claimed is not *prima facie* obvious in light of the combination of references. It is respectfully requested that the rejection be reconsidered and withdrawn.

**Claims 7, 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kido et al (20030189401), hereinafter Kido, in view of Tyan et al (20040061136), hereinafter Tyan.** (Office Action, page 7)

As for claims 7 and new claim 15, Kido (US 2003/189401) shows an organic light emitting device having a plurality of light-emissive units between an anode 2 and a cathode 5. Meanwhile, Tyan (US 2004/061136) also shows an organic light-emitting device having an organic EL element 30 that can include one to several sub-layers ([0032]). Accordingly, the present invention according to claim 7 is compared with the device of Tyan.

Tyan shows a low-index isolation layer 24 located between an electrode (a transparent anode layer 14) and a reflector 26 (figs. 10 and 11, [0049]).

However, Tyan fails to disclose that both an anode and a cathode are formed by optically-transparent electrodes, a first electrode of the anode and the cathode being provided on an optically-transparent substrate, the emission layers being provided on the first electrode, a second electrode of the anode and the cathode being provided on the emission layers, an optical spacer being provided on the second electrode, a light reflective element being provided on the

optical spacer, a distance between said light reflective element and said emission layers being in the range of about 1 $\mu$ m to 1mm by means of the optical spacer so as to be set to a distance where an angle dependency of light emission brightness and light emission color can be reduced.

Tyan also fails to disclose the subject matter of new claim 15.

In light of the structural differences, it is shown that the invention as now claimed is not *prima facie* obvious in light of the combination of references. It is respectfully requested that the rejection be reconsidered and withdrawn.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105.

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Respectfully submitted,

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